

AMENDMENTS TO THE DRAWINGS

Please amend figures 2 and 14 as shown in the enclosed replacement sheets. The attached sheet(s) of drawings includes changes to the reference labels to comply with 37 CFR §1.84. Applicant submits that these replacement figures are formal.

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application and indicating that claims 4-6, 8, 16, 22, 23, and 27 contain allowable subject matter.

Disposition of Claims

Claims 1-34 were pending in the present application. By way of this reply, claim 35 has been added. Accordingly, claims 1-35 are pending in the present application. Claims 1, 19, 30, 31, 32, 34, and 35 are independent. The remaining claims depend, either directly or indirectly, from claims 1, 19, 30, 31, 32, 34, and 35.

Claim Amendments

Claims 1, 11, 19, 20, 30, 31, 32, 33, 34 have been amended for clarification. By way of this reply, claim 35 has been added. No new matter has been added by way of these amendments as support for these amendments may be found, for example, in Figure 1, Figure 11 and the paragraph beginning on page 53, line 10 of the Instant Specification.

IDS

Applicant respectfully requests consideration of the IDS filed on September 14, 2001. Applicant submits that the IDS does comply with 37 CFR §1.98(a)(1) because a concise statement of relevance of the foreign language documents is included in the specification. See page 1, line 13 – page 2, line 8.

Drawings

The drawings stand objected to for containing errant reference numbers. Replacement Sheets in accordance with 37 CFR §1.121 have been submitted with this response in view of the objections. Accordingly, withdrawal of this objection is respectfully requested.

Specification

The paragraphs beginning on page 16, line 8; page 44, line 9; and page 58, line 7 of the Instant Specification have been amended to correct informalities and to included reference characters present in the figures. Accordingly, withdrawal of this objection is respectfully requested.

Rejections under 35 U.S.C. §112

Claims 11, 20, and 33 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards the invention. By way of this reply, claims 11, 20, and 33 have been amended to correct dependencies and to correct antecedent basis. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1, 12, 17-19, 24, 25, 28, 29, 30-32, and 34 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,233,534 issued to Morozumi et al. (hereinafter "Morozumi"). For the reasons set forth below, this rejection is respectfully traversed.

Amended independent claim 1 recites, in part, "wherein said measurement control unit includes command generating unit for generating a control command which operates the measuring device to perform the measurement process, a communication unit for transferring the control command generated by the command generating unit to the measuring device through GPIB and for receiving the measurement result from the measuring device through the GPIB, and a measurement data transferring unit for transferring the measurement result received by the communication unit to the display host system though the Ethernet." Amended independent claims 19, 30, 31, 32, and 34 have similar limitations. Advantageously, these units allow the

measuring device to be controlled solely by a General Purpose Interface Bus (GPIB), while the results produced by the measuring device can be transferred to the display host system, such as a PC, using Ethernet.

The Examiner has attempted to equate the measurement control unit with the “control portion” disclosed in Morozumi. (*See* Office Action dated May 19, 2005 at page 7). This association is improper because the “control portion” taught by Morozumi is actually part of the measuring unit. This squarely contradicts the amended claims that require the measurement control unit to be part of a measuring device controlling adapter connected to a measuring device using a GPIB. Further, the measurement control unit contains a communication unit for receiving the measurement results from the measuring device. Morozumi’s “control portion” is not designed to receive measurement results. Therefore, Morozumi’s “control portion” cannot be the measurement control unit recited in the claims. Thus, Morozumi does not teach or suggest all the limitations of independent claims 1, 19, 30, 31, 32, and 34. Claims 12, 17, 24, 25, 28, and 29 depend, either directly or indirectly, from claims 1 and 19 and are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1, 3, 9, 11-14, 19, 30-32 and 34 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,338,030 issued to Senn et al. (hereinafter “Senn”). For the reasons set forth below, this rejection is respectfully traversed.

The Examiner has attempted to equate a program receiving unit, an initiating instruction receiving unit, and a measurement control unit as recited in the claims with the processor disclosed by Senn. (*See* Office Action dated May 19, 2005 at pages 12 and 13). This association is improper because a general block diagram processor does not reveal the elaborate structure of the measuring device controlling adapter as recited in the claims. Further, as Senn is

silent regarding GPIBs, Senn cannot and does not disclose the existence and use of a GPIB between the measuring device controlling adapter and the measuring device as recited in the amended independent claims. Thus, Senn does not teach or suggest all the limitations of amended independent claims 1, 19, 30, 31, 32, and 34. Claims 3, 9, and 11-14 depend, either directly or indirectly, from claim 1 and are allowable for at least the same reason. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. §103

Claims 2, 7, 9, 10, 15, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Senn in view of U.S. Patent No. 6,052,653 issued to Mazur et al. (hereinafter "Mazur"). For the reasons set forth below, this rejection is respectfully traversed.

As discussed above, amended independent claims 1 and 19 are patentable over Senn. Like Senn, Mazur does not disclose a program receiving unit, an initiating instruction receiving unit, and a measurement control unit as recited in the claims. Mazur and Senn, whether viewed separately or in combination, fail to teach or suggest all the limitations of amended independent claims 1 and 19. Thus, amended independent claims 1 and 19 are patentable over Mazur and Senn. Claims 2, 7, 9, 10, 15, and 20 depend, either directly or indirectly, from claims 1 and 19 and are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 21 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Senn, in view of Mazur, and further in view of Morozumi. As discussed above, amended independent claim 19 is patentable over Senn, Mazur and Morozumi, whether considered independently or in

combination. Claim 21 depends indirectly from claim 19 and is allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.


Claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Morozumi in view of Mazur. As discussed above, amended independent claim 19 is patentable over Mazur and Morozumi, whether considered independently or in combination. Claim 26 depends indirectly from claim 19 and is allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 02008/047001).

Dated: September 19, 2005

Respectfully submitted,

By 

Thomas K. Scherer
Registration No.: 45,079
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant